

DAVIS WRIGHT TREMAINE LLP

Thomas R. Burke (CA State Bar No. 141930)
DAVIS WRIGHT TREMAINE LLP
505 Montgomery Street, Suite 800
San Francisco, California 94111
Telephone: (415) 276-6500
Facsimile: (415) 276-6599
Email: thomasburke@dwt.com

Sharon L. Schneier (admitted *pro hac vice*)
Camille Calman (admitted *pro hac vice*)
DAVIS WRIGHT TREMAINE LLP
1633 Broadway – 27th Floor
New York, New York 10019
Telephone: (212) 489-8230
Facsimile: (212) 489-8340
Email: sharonschneier@dwt.com
Email: camillecalman@dwt.com

Attorneys for Defendant Wenner Media LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

JASMINE HUBBARD AND MARVEL
MILLS, individually and on behalf of a class
of similarly situated individuals,

Plaintiffs,

vs.

WENNER MEDIA LLC, a Delaware limited
liability company

Defendant.

Case No. 3:11-cv-04648-EMC

**STIPULATION AND [PROPOSED]
ORDER TO RESET DATES OF INITIAL
CASE MANAGEMENT CONFERENCE
AND ARGUMENT ON MOTION**

Judge: Hon. Edward M. Chen

Pursuant to Civil Local Rules 6-1(b) and 6-2 of the United States District Court for the Northern District of California and Rule 4 of Civil Standing Order – General of the Honorable Edward M. Chen, it is hereby stipulated by and among Plaintiffs Jasmine Hubbard and Marvel Mills and Defendant Wenner Media LLC (collectively the “Parties”), by and through their respective counsel of record, as follows:

1 1. Plaintiffs filed the Complaint in this case on September 20, 2011. On December 9,
2 2011, Defendant filed a Motion to Dismiss or, in the Alternative, to Transfer to the Southern
3 District of New York. The Motion has been fully briefed and oral argument is scheduled for
4 February 17, 2012.

5 2. The Parties wish to engage in settlement discussions, have indicated a desire to
6 schedule an early settlement conference with a Magistrate Judge, and have an ADR phone
7 conference set for February 14, 2012. In addition, the Parties have reason to believe that limited
8 discovery from certain non-party entities will allow the Parties to engage in meaningful settlement
9 discussions. Upon entry of the requested Stay, the Parties have agreed to informally exchange
10 certain information and will further seek to obtain other information relevant to this litigation and
11 their settlement discussions from several non-party entities.

12 3. In consideration of this, the Parties stipulate to a Stay of sixty (60) days. During
13 this stipulated period, the Parties request that this Court issue no decision on Defendant's Motion
14 to Dismiss, or, in the Alternative, to Transfer to the Southern District of New York.

15 4. All of the Parties' respective rights shall be preserved for the stipulated sixty (60)
16 day period.

17 5. If the Parties' settlement discussions are not fruitful, the Parties reserve the right to
18 seek to reset the dates of the Stay.

19 6. This Stipulation would alter certain preliminary deadlines established by this Court,
20 including the obligation to file a Joint Case Management Statement in advance of the Case
21 Management Conference currently scheduled for February 17, 2012. For this reason, the Parties
22 stipulate and request of this Court that all of the following dates and deadlines be extended as
23 follows:

24 a. The Initial Case Management Conference scheduled for Friday, February
25 17, 2012 shall be continued to Friday, April 20, 2012 at 9:00 a.m. in Courtroom 5, 17th Floor, 450
26 Golden Gate Avenue, San Francisco, California, or as soon thereafter as is convenient for the
27 Court.
28

b. Oral argument on Defendant's Motion to Dismiss, or, in the Alternative, Transfer to the Southern District of New York shall be continued to the same date and time as the Initial Case Management Conference, or as soon thereafter as is convenient for the Court.

c. The February 10, 2012 deadline for the Parties to file a Joint Case Management Statement shall be continued to April 13, 2012.

This is the second stipulated time modification in this case; on November 7, 2011, the Parties filed a joint stipulation to extend the time for Defendant to answer, move or otherwise respond to the Complaint, and the Court so ordered on November 9, 2011. No trial date has been set, so this extension will not require that a trial date be rescheduled, but it will require that the Initial Case Management Conference and related deadlines be rescheduled, as set forth *supra*.

IT IS SO STIPULATED.

DATED this 9th day of February 2012.

EDELSON MCGUIRE LLP

DAVIS WRIGHT TREMAINE LLP

By: /s/ Sean P. Reis
Sean P. Reis
30021 Tomas Street, Suite 300
Rancho Santa Margarita, CA 92688
Phone: (949) 459-2124
Attorneys for Jasmine Hubbard and Marvel Mills

By: /s/ Thomas R. Burke
Thomas R. Burke
505 Montgomery Street, Suite 800
San Francisco, CA 94111-6533
Phone: (415) 276-6500
Attorneys for Wenner Media LLC

General Rule 45X Certification

I, Thomas R. Burke, hereby attest that I have permission from Sean P. Reis to electronically sign this document on his and his firm's behalf

ORDER

Pursuant to stipulation, the foregoing is approved and IT IS SO ORDERED.

IT IS FURTHER ORDERED that the February 17, 2012 Initial Case Management Conference shall be rescheduled to April 20, 2012 at 1:30 p.m. ~~9:00 a.m.~~ in Courtroom 5, 17th Floor, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

DATED: February ¹³ ___, 2012

THE HONORABLE
UNITED STATES



DAVIS WRIGHT TREMAINE LLP